

Message from the House

A messenger from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
July 1, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 86, Relative to sine die adjournment on Thursday, July 3, 1941 (as amended).

The House has reconsidered the vote by which the Conference Committee report on H. B. No. 166 was adopted and then refused to adopt the Conference Committee report and referred the bill back to Conference Committee for further consideration.

The House has appointed Mr. Dickson of Nolan as a conferee on H. B. No. 166 to replace Mr. Bullock.

Respectfully submitted,
E. R. LINDLEY,
Chief Clerk, House of Representatives.

Adjournment

On motion of Senator Brownlee, the Senate, at 10:20 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

Record of Vote

Senator Sulak asked to be recorded as voting "nay" on the motion to adjourn.

EIGHTY-FIFTH DAY

(Wednesday, July 2, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Cotten	Martin
Fain	Mauritz
Formby	Metcalfe
Graves	Moffett
Hazlewood	Moore
Isbell	Ramsey

Shivers
Spears
Stone
Sulak

Van Zandt
Vick
Weinert
York

Absent—Excused

Hill
Smith

Winfield

A quorum was announced present.
Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Sulak.

Senator Smith was granted leave of absence for today on account of important business, on motion of Senator Moffett.

Senator Winfield was granted leave of absence for today on account of important business, on motion of Senator Isbell.

Bills Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills:

H. B. No. 188, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, as amended by Acts of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to, and designating the Supreme Judicial Districts of the State of Texas, by transferring Brown County from the Third Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Third Supreme Judicial District in cases appealed from Brown County in which the transcript shall have been filed in said court prior to the date this Act takes effect; that in all cases from Brown County in which appeal or writ of error has been perfected, but the transcript not filed in the Court of Civil Appeals for the Third Supreme Judicial District prior to the effective date of this Act, the record of such case or cases shall be filed in the Court of Civil Appeals for the

Eleventh Supreme Judicial District of Texas, which shall have jurisdiction; provided further, that in any case from a trial court in Brown County, in which appeal or writ of error may be perfected after the passage of this Act, but before its effective date, if the transcript be filed in the Court of Civil Appeals for either the Third or the Eleventh Supreme Judicial District of Texas within the time otherwise provided by law, such appeal shall not be dismissed for failure to file the transcript in the proper court, but if filed in the wrong court, the clerk thereof shall transmit the record, together with a transcript of any orders made in the case, to the proper court having jurisdiction; and declaring an emergency."

H. B. No. 611, A bill to be entitled "An Act to amend and re-enact S. B. No. 36, Acts, Forty-sixth Legislature, Regular Session, entitled: An Act creating a State Department of Public Welfare for the State of Texas; prescribing its rights, powers, functions, and duties; creating and providing for a State Board of Public Welfare; prescribing its rights, powers and duties; defining certain terms; providing for the administration of this Act; providing for payment of Old-Age Assistance; providing for assistance to needy blind persons, dependent and destitute children, and persons or families who are in dependent and needy circumstances; accepting for the State of Texas all the provisions of the Federal Social Security Act, enacted by the Congress of the United States and approved March 14, 1935; etc.: and declaring an emergency."

H. B. No. 857, A bill to be entitled "An Act amending Article 3125, Revised Civil Statutes, 1925, as amended by Chapter 225, Acts of the Forty-third Legislature, to provide certain changes with respect to the canvass of election returns by the county executive committee; amending Articles 3126, 3128, 3129, 3130, 3131, 3146, 3147, 3148, 3150, Revised Civil Statutes, 1925, and Article 3153, Revised Civil Statutes, 1925, as amended by Chapter 241, Acts of the Forty-second Legislature, providing certain changes in the conduct of elections, for the determining of nominees, and for the prosecutions of election contests; repealing Articles 3149 and 3151, Revised Civil Statutes, 1925, and repealing Article 3152, Revised Civil Statutes, 1925, as amended in Chapter 19,

Acts of the Fortieth Legislature, as amended by Chapter 241, Acts of the Forty-second Legislature, and repealing all other laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

H. B. No. 1099, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Bedding Division of the State Department of Health for the two-year period beginning September 1, 1941, and ending August 31, 1943, and for other purposes; and declaring an emergency."

Message from the House

A Clerk from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. B. No. 127, A bill to be entitled "An Act amending Articles 777 and 779 of the Code of Criminal Procedure of the State of Texas of 1925, defining certain terms; providing for penalties, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act amending Article 183 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the time during which an indictment, information, or complaint has been pending shall not be computed in the period of limitation; defining certain terms, repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. B. No. 360, A bill to be entitled "An Act amending Article 2960, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act amending Article 2959, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

S. B. No. 497, A bill to be entitled "An Act making sabotage an offense; defining the term sabotage; providing the penalty therefor; providing that the offense of sabotage shall be cumulative with any offense now prohibited by law coming within the term sabotage; and providing the State may elect under which law it will prosecute; providing a period of limitation for the prosecution of the offense of sabotage; providing a saving clause; and declaring an emergency."

S. B. No. 506, A bill to be entitled "An Act to amend Section 1 of Chapter 88, page 189, Special Laws, Forty-second Legislature, Regular Session, 1931, as amended by S. B. No. 369, Acts of the Regular Session of the Forty-seventh Legislature, 1941, (Article 5138a, Revised Civil Statutes of Texas) to empower and authorize counties having a population of not less than three hundred ninety thousand (390,000), and not more than five hundred thousand (500,000), according to the last preceding Federal census, and containing a city having a population of not less than two hundred ninety thousand (290,000), and not more than three hundred fifty thousand (350,000), according to the last preceding Federal census, jointly with such city to establish, own and operate a parental home and school for the training of dependent and delinquent youth resident of that county or city; and declaring an emergency."

H. B. No. 1098, A bill to be entitled "An Act to amend Section 1 of S. B. No. 496, Chapter 168, Acts of the Regular Session of the Forty-fourth Legislature, as amended by Section 1 of H. B. No. 153, Chapter 71, Acts of the Second Called Session of the Forty-fifth Legislature, so as to authorize any city of more than ten thousand (10,000) population, according to the last preceding Federal Census, whether incorporated under general or special law, to codify and adopt a code of civil and criminal ordinances without the necessity of publication; providing for the taking effect of said code upon adoption providing said code shall have the force and effect of an ordinance regularly enacted; and declaring an emergency."

H. B. No. 1100, A bill to be entitled "An Act making it unlawful to take, kill, pursue, or attempt to take, kill, or pursue or otherwise molest any deer in Shelby County until November

16, 1946; providing a suitable penalty; repealing conflicting laws; and declaring an emergency."

H. B. No. 1101, A bill to be entitled "An Act making it lawful to hunt wounded wild deer with one dog in the Counties of Liberty and Hardin, Texas, during the open season of each year for a period of five (5) years; and declaring an emergency."

H. B. No. 1102, A bill to be entitled "An Act relating to marks and brands of live stock in Fayette County; requiring that each owner of any livestock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect have his mark and brand of such stock recorded at the office of the county clerk; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from the taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in Fayette County; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in Fayette County for a period of thirty (30) days; providing for re-recording brands and marks at end of ten-year period; and declaring an emergency."

The House has passed H. B. No. 349 notwithstanding the veto of the Governor by a vote of 101 ayes, 23 noes.

The House has passed H. B. No. 502 notwithstanding the veto of the Governor by a vote of 78 ayes, 35 noes.

H. C. R. No. 282, Authorizing the State Highway Department to lend discarded guard wire and other fencing materials to Malakoff Public School District.

H. C. R. No. 285, Authorizing State Highway Department to lend discarded guard wire to Madisonville Independent School District.

H. C. R. No. 284, Granting Mrs. R. E. Benton and Mrs. Edna Line permission to sue the State.

H. C. R. No. 283, Authorizing the Board of Control to execute to the State Highway Department an ease-

ment of certain property for highway purposes.

Respectfully submitted,
E. R. LINDLEY,
Chief Clerk, House of Representatives.

Report of Standing Committee

Senator Moore submitted the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1094, A bill to be entitled "An Act amending Section 6 of Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, as amended by Section 3 of H. B. No. 828, Acts of the Regular Session of the Forty-seventh Legislature, providing for the appointment, term of office, qualifications, and organization of Board of Directors of the San Jacinto River Conservation and Reclamation District; fixing the domicile of said district; and declaring an emergency."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Senate Bill 507 on First Reading

Senator Aikin moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

The following bill then was introduced, read first time and referred to the Committee on Finance:

By Senator Aikin:

S. B. No. 507, A bill to be entitled "An Act amending S. B. No. 402 of this the Forty-seventh Legislature to provide that where United States Aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which monies have been appropriated, that any unexpended appropriated balance may be used during the next fiscal year to complete the project."

Report of Committee on Senate Bill 507

Senator Aikin, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 507, A bill to be entitled "An Act amending S. B. No. 402 of this the Forty-seventh Legislature to provide that where United States aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which monies have been appropriated, that any unexpended appropriated balance may be used during the next fiscal year to complete the project."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senate Bill 507 on Second Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 507 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Spears
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalfe	Weinert
Moffett	York

Absent—Excused

Hill	Winfield
Smith	

The President then laid S. B. No. 507 before the Senate, on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 507 on Third Reading

The President then laid S. B. No. 507 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

Song by Bobby and Tommy Fairey

Senator Fain, having been recognized by the President, presented to the Senate at this time Bobby and Tommy Fairey, who sang to the Senate.

Senate Bill 508 on First Reading

Senator Shivers moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

The following bill then was introduced, read first time and referred to the Committee on Counties and County Boundaries:

By Senator Shivers:

S. B. No. 508, A bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than seventeen thousand, three hundred and seventy-five (17,375) and not more than seventeen thousand, three hundred and eighty-three (17,383), according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such commissioner to pay the expenses of operation and repair of such automobile so used by him, without further expense to the county; and declaring an emergency."

Report of Committee on Senate Bill 508

Senator Ramsey, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
July 1, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 508, A bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than seventeen

thousand, three hundred and seventy-five (17,375) and not more than seventeen thousand, three hundred and eighty-three (17,383) according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such commissioner to pay the expenses of operation and repair of such automobile so used by him without further expense to the county; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senate Bill 508 on Second Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 508 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

The President laid S. B. No. 508 before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 508 on Third Reading

The President then laid S. B. No. 508 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

Report of Committee on House Bill 1088

Senator Cotten, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 1088, A bill to be entitled "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature, approved June 8, 1927, to authorize a ninety-nine year lease to be issued to the Town of Aransas Pass, leasing Ransom Island and certain waters surrounding the same, situated in Nueces County; authorizing the said town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bathhouses, channels, causeways, bridges, streets, alleys, utilities, and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement, and better living; authorizing the reclamation, dredging, and filling of any part of the leased area; authorizing the subdivision of the leased area or any part thereof into lots and blocks by surveys and dedicated maps and plats; authoriz-

ing said town to sublease all or any part or parts of the leased area for any or all of said purposes; validating all subleases heretofore made by said Town of Aransas Pass; providing for the maintenance of said area and for keeping open to the public, free of charge, such portions as may be necessary to constitute a public place for the recreation and enjoyment of the public; providing for the policing of said area; enlarging the area to be leased; preserving to the State all minerals in and under the leased area with the right of access for drilling and mining purposes and reserving the right to sell any and all available shell in the leased area; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

House Bill 1088 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 1088 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1088, A bill to be entitled "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature approved June 8, 1927, to authorize a ninety-nine year lease to be issued to the Town of Aransas Pass leasing Ransom Island and certain waters surrounding the same, situated in Nueces County, authorizing the said town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bathhouses, channels, causeways, bridges, streets, alleys, utilities and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement and better living; authorizing the reclamation, dredging and filling of any part of the leased area; authorizing the subdivision of the leased area or any part thereof into lots and blocks by surveys and dedicated maps and plats; authorizing

said towns to sublease all or any part or parts of the leased area for any or all of said purposes; validating all subleases heretofore made by said town of Aransas Pass; providing for the maintenance of said area and for keeping open to the public free of charge such portions as may be necessary to constitute a public place for the recreation and enjoyment of the public; providing for the policing of said area, enlarging the area to be leased: reserving to the State all minerals in and under the leased area with the right of access for drilling and mining purposes and reserving the right to sell any and all available shell in the leased area; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1088 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1088 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Fain
Beck	Formby
Brownlee	Graves
Chadick	Hazlewood
Cotten	Isbell

Kelley	Ramsey
Lanning	Shivers
Lemens	Spears
Lovelady	Stone
Martin	Sulak
Mauritz	Van Zandt
Metcalf	Vick
Moffett	Weinert
Moore	York

Absent—Excused

Hill	Winfield
Smith	

House Concurrent Resolution 283

The President laid before the Senate and had read (the resolution having been received from the House today):

H. C. R. No. 283, Authorizing the Board of Control to execute easement in certain State property to the State Highway Department.

On motion of Senator Spears and by unanimous consent, the resolution was considered and adopted at this time.

Report of Conference Committee on Senate Bill 471

Senator Lanning submitted the following report of the Conference Committee on S. B. No. 471:

Austin, Texas,
June 26, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the Senate on S. B. No. 471, have had the same under consideration and beg to report back with the recommenda-

tion that it do pass in the form hereto attached.

Respectfully submitted,

LANNING,
FORMBY,
LOVELADY,
LEMENS,
ISELL,

On the part of the Senate;

LEHMAN,
TURNER,
COLSON,
STAMFORD,

On the part of the House.

By Senator Lanning:

S. B. No. 471, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claims shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and the Attorney General; and provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

"Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated to be paid out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated to pay miscellaneous claims against the State of Texas as herein enumerated:

Subsection A. There is hereby appropriated out of the General Revenue Fund the following amounts:

To pay Allison's Drug Store, Wichita Falls, Texas, Warrant No. 197768, dated August 31, 1934, on which payment is prohibited by the Statute of Limitation.....	\$ 20.56
To pay Archaeological Institute of America, Warrant No. 165899, dated June 27, 1935, on which payment is prohibited by the Statute of Limitation.....	107.39
To pay W. T. Ballard, Warrant No. 171300, dated June 24, 1936, on which payment is prohibited by the Statute of Limitation.....	6.52
To pay Bemis Brothers Bay Company, St. Louis, Mo., overpayment of filing permit fee to do business in the State of Texas from year 1927 to 1937.....	2,220.00
To pay M. E. Lovett in settlement of State ad valorem taxes paid on exempt homestead.....	26.01

To pay Capt. H. H. Ramsey, Regimental Headquarters; 132d Field Artillery, 36th Division, Camp Bowie, Texas for a National Guard Army Band, Warrant No. 72093, dated December 31, 1937, and previously issued to Washington Biard, who has turned the Warrant over to Capt. Ramsey, on which payment is prohibited by the Statute of Limitation	16.00
To pay George P. Blackburn, District Attorney, Paris, Texas, Treasury Warrant No. 34804, dated December 31, 1923, on which payment is prohibited by the Statute of Limitation	41.66
To pay Capital National Bank, Austin, Texas, Comptroller's Deficiency Certificate No. 21816, dated December 11, 1930, issued in full payment of all claims by the J. T. Carlisle Estate	7,912.10
To pay S. A. Castleberry, Vernon, Texas, Treasury Warrant No. 21842, dated January 18, 1935, formerly issued to J. C. Christopher but now owned and held by claimant, on which payment is prohibited by the Statute of Limitation	100.00
To pay C O Co. K, 144 Inf., Winnsboro, Warrant No. 115193, dated March 31, 1934, on which payment is prohibited by the Statute of Limitation	7.50
To pay Dr. Frederick Eby, University Station, Austin, Texas, Warrant No. 70279, dated March 3, 1932, payee, Miriam Dozier, on which payment is prohibited by the Statute of Limitation	200.00
To pay Eagle-Picher Sales Company, White Warrant No. 164649, dated June 14, 1936, for the sum of \$1.18; Green Warrant No. 158553, dated March 30, 1936, for the sum of \$46.80	47.98
To pay E. E. Ellis, Jacksboro, Texas, for overpayment of property taxes in the year 1937	12.25
To pay C. G. Engledow for services rendered as Special District Attorney in the District Court of Camp County, Texas, State of Texas vs. John A. Cook	100.00
To pay Lane Finley, Warrant No. 12022, dated September 30, 1931, on which payment is prohibited by the Statute of Limitation	16.50
To pay Mrs. Hannah Margaret Flood, 2314 Strand Street, Galveston, Texas, refund of overpayment of State Inheritance Tax	12.50
To pay General Beverage Distributors' Inc., Warrant No. 13318, dated December 4, 1934, on which payment is prohibited by the Statute of Limitation	82.13
To pay Dave Gill and Andres Galindo, Warrant No. 186527, dated August 3, 1934, on which payment is prohibited by the Statute of Limitation	17.60
To pay Cleto Gomez, Warrant No. 93699, dated February 4, 1937, on which payment is prohibited by the Statute of Limitation	7.52
To pay Frank Hamer for his services in the capture of Clyde Barrow on May 23, 1934, the amount of money which was necessary for him to pay out in order to accomplish the task assigned to him by the Manager of the Prison System in Texas	1,075.00
To pay T. J. Holbrook, rent for one month during the spring of 1939 for premises rented by the Board of Control at 1308 Congress Avenue, Austin, Texas	50.00
To pay the Ideal Baking Company of Paris, Texas, for overpayment of taxes on property in the year 1939 due to an error in the tax collector's office in Lamar County, Texas	15.40
To pay W. O. Jenkins, Warrant No. 156477, dated May 29, 1936, for the sum of \$112.50; Warrant No. 163686, dated June 10, 1936, for the sum of \$37.33; Warrant No. 140420,	

dated April 30, 1936, for the sum of \$112.50; on which payments are prohibited by the Statute of Limitation.....	262.33
To pay LaSalle County Department of Education, Warrant No. 112056, dated March 19, 1934, on which payment is prohibited by the Statute of Limitation.....	10.00
To pay W. P. Laughter, Warrant No. 116512, dated March 26, 1934, for the sum of \$47.54; Warrant No. 133402, dated April 30, 1934, for the sum of \$200.00; on which payments are prohibited by the Statute of Limitation.....	247.54
To pay Lyford Public School, Warrant No. 180856, dated August 1, 1935, for the sum of \$85.16; Warrant No. 173197, dated July 13, 1934, for the sum of \$90.63 on which payment is prohibited by the Statute of Limitation.....	125.79
To pay Claude Melton, Gasoline Refund Warrant No. 110972, dated May 4, 1938 on which payment is prohibited by the Statute of Limitation.....	30.68
To pay B. N. Richards, Dalhart, Texas for services as Special District Attorney at the May term, 1940, of the District Court for Dallam County for 13 days at \$10.95 per day.....	142.35
To pay Santa Margarita Public Schools, Warrant No. 180881, dated August 1, 1935, on which payment is prohibited by the Statute of Limitation.....	84.38
To pay Southern Commercial Corporation for franchise tax paid to the Secretary of State for the year 1940-41, by reason of the dissolution of said corporation prior to the effective date of such tax.....	138.00
To pay The Steck Company, Austin, Texas, for the use of 39,603,690 cigarette stamps by the State Board of Control.....	4,732.64
To pay A. N. Steinle, Warrant No. 165280, dated June 15, 1936, on which payment is prohibited by the Statute of Limitation.....	15.00
To pay Magnolia W. Sealy Estate refund of inheritance taxes.....	296.56
To pay Western Gas, Warrant No. 139723, dated May 7, 1935, on which payment is prohibited by the Statute of Limitation.....	5.25
To pay M. F. Yount Estate overpayment of inheritance tax.....	2,880.00
To pay Allen Hardware Company, Hearne, Texas, refund for permit.....	5.00
To pay Acme Cement Plaster Company, for refund of franchise taxes illegally collected.....	5,150.00
To pay A. Harris & Company, Warrant No. 185463 on which payment was prohibited by Statute of Limitation.....	9.25
To pay American United Life Insurance Company, Indianapolis, Indiana, for refund of occupation taxes erroneously collected.....	390.00
To pay American Credit Indemnity Company, New York, New York, for refund of occupation taxes erroneously collected.....	69.62
To pay The American Soda Fountain Company, for refund of franchise taxes erroneously collected.....	5,145.00
To pay Arnold, J. W., Leonard, Texas, for refund on Old Age Assistance warrant erroneously cancelled.....	18.00
To pay Aetna Life Insurance Company, Hartford, Connecticut, for refund of occupation taxes erroneously collected.....	16,473.21
To pay Auto Spring and Supply Company, Wichita Falls, Texas, for refund of Chain Store taxes erroneously collected.....	121.33
To pay Brown, J. J., Crowell, Texas, for refund of land taxes erroneously collected.....	46.24
To pay J. H. Beal, Warrant No. 166438 on which payment was prohibited by Statute of Limitation.....	8.40
To pay Brooks System Sandwich Shop, Houston, Texas, for refund of chain store taxes erroneously collected.....	397.17
To pay Boyd, Mrs. W. R., Teague, Texas, for payment of Warrant No. 109773, on which payment was prohibited by Statute of Limitation.....	416.66

To pay Bradley, Leonard, et al, c/o J. L. Richardson, 3904 Dickinson Avenue, Dallas, Texas, in payment of judgment rendered in Cause No. 830, County Court of Jack County, Texas	3,847.95
To pay Brown, Carrol, San Antonio, Texas, for refund of land taxes erroneously collected	195.94
To pay Brenham Furniture Company, Brenham, Texas, for refund on permit from Health Department	10.00
To pay Blocker, Emma Lou, New Boston, Texas, for payment of service in collection of delinquent taxes	3,371.53
To pay Babsons Reports, Inc., Wellesley Hills, Massachusetts, Warrant No. 147558 on which payment was prohibited by Statute of Limitation	2.40
To pay Citizens National Bank, Cameron, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	377.38
To pay Connecticut Mutual Life Insurance Company, Hartford, Connecticut, for refund of taxes erroneously collected	1,856.80
To pay Mrs. Consuelo Madrigas de Pena, Alice, Texas, for refund of bonus and rentals erroneously collected	1,344.00
To pay Cleveland Compress and Cotton Company, Houston, Texas, for refund of occupation tax erroneously collected	37.50
To pay Capitol Life Insurance Company, Denver, Colorado, for refund of taxes erroneously paid	2,556.66
To pay Cox, Thomas W., et al., Tyler Texas, for refund of inheritance tax erroneously collected	3,078.35
To pay C. Jim Stewart & Stevenson, Houston, Texas, payment of goods furnished prison system	34.69
To pay Central Engineering and Supply Company, Dallas, Texas, for Warrant No. 58282 on which payment was prohibited by Statute of Limitation	.80
To pay Cliff Towers Corporation, Dallas, Texas, for refund on Beer and Wine Permit	25.00
To pay City State Bank and Trust Company, McAllen, Texas, for payment of Warrant No. 13210 on which payment was prohibited by Statute of Limitation	7.50
To pay Casualty Reciprocal Exchange, Kansas City, Missouri, for refund of taxes erroneously collected	1,564.01
To pay Denman, J. B., Brownwood, Texas, in payment for witness fee in the case of the State of Texas versus E. E. Ray, cause No. 1968	7.00
To pay Douglas, E. L., Sherman, Texas, for refund of taxes erroneously collected	15.53
To pay Eckhardt Physician and Surgery Supply Company, Austin, Texas, for payment of General Revenue Warrants, No. 5823 and No. 97942, on which payment was prohibited by Statute of Limitation	20.25
To pay Elliott Printing Company, Austin, Texas, for printing and supplies furnished to State Board of Dental Examiners	53.24
To pay Eckhardt Gin Company, Yorktown, Texas, for refund of chain store tax erroneously collected	24.50
To pay Ewing W. K., Company, Inc., San Antonio, Texas, for refund of taxes erroneously collected	32.10
To pay First State Bank, Overton, Texas, in payment of Deficiency Warrants, No. 566, dated July 30, 1936, and No. 517, dated June 30, 1938	350.00
To pay Foy, Frankie E., McAllen, Texas, in payment of Unemployment Compensation Warrants	84.17
To pay Falls County, Texas, in payment of royalty interest on public school land	1,094.67
To pay First National Bank, Childress, Texas, refund for Breeding fee	7.50

To pay First National Bank, Temple, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation.....	74.41
To pay First State Bank, Gladewater, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation.....	29.01
To pay Frazier, Mrs. John, Wichita Falls, Texas, in payment of Unemployment Compensation Warrant No. 540128 on which payment was prohibited by Statute of Limitation.....	5.15
To pay First National Bank, Breckenridge, Texas, for check given by Secretary of State No. 21024 dated 7-27-29.....	2.32
To pay First National Bank, Midlothian, Texas, in payment of General Revenue Warrants, No. 209868 and 116266 on which payment was prohibited by Statute of Limitation.....	87.90
To pay Ft. Worth Well Machinery and Supply Company, Inc., Ft. Worth, Texas, in payment of General Revenue Warrant No. 68954 on which payment was prohibited by Statute of Limitation.....	7.24
To pay Ferrel, J. M., Memphis, Texas, for refund of ad valorem taxes erroneously collected.....	11.83
To pay First National Bank, Odessa, Texas, in payment of Unemployment Compensation Warrant No. 493280 on which payment was prohibited by Statute of Limitation.....	7.70
To pay First National Bank, Honey Grove, Texas, in payment of General Revenue Warrant, on which payment was prohibited by Statute of Limitation.....	4.00
To pay Goolesbee Mercantile Company, Warren, Texas, in payment of General Revenue Warrant No. 163211, on which payment was prohibited by Statute of Limitation.....	100.00
To pay Graham, Thomas, Jr., Del Rio, Texas, for refund of occupation taxes erroneously collected.....	77.22
To pay Galveston County, Texas, in payment of General Revenue Warrants No. 155275 and No. 155276 on which payment was prohibited by Statute of Limitation.....	204.40
To pay Gaynor, W. H., Abilene, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation.....	135.00
To pay Gatour, Jim, Austin, Texas, for refund on package store permit.....	175.00
To pay Gibson Garage and Machine Company, Bryan, Texas, in payment of General Revenue Warrant No. 18680, on which payment was prohibited by Statute of Limitation.....	1.50
To pay Gonzales State Bank, Gonzales, Texas, in payment of Unemployment Compensation Warrant, on which payment was prohibited by Statute of Limitation.....	7.00
To pay Hamilton, W. S., San Antonio, Texas, in payment of General Revenue Warrant No. 178816, on which payment was prohibited by Statute of Limitation.....	15.00
To pay Hartwell Iron Works, Houston, Texas in payment of General Revenue Warrant No. 151696 on which payment was prohibited by the Statute of Limitation.....	13.20
To pay Henry, W. E., Rusk, Texas, refund for breeding fee.....	7.50
To pay Haden, E. T., Mereta, Texas, refund for breeding fee.....	7.50
To pay Houston Lighting & Power Company, Galveston, Texas, in payment for service rendered Court of Civil Appeals, Galveston, Texas.....	36.15
To pay Hatchcock, A. L., Palestine, Texas, for payment of General Revenue Warrant No. 33386, on which payment was prohibited by Statute of Limitation.....	35.00
To pay Ingram, Grady, Groveton, Texas, for recording fees in district Clerk's office.....	66.50
To pay Ice Service Company, Wichita Falls, Texas, for refund of chain store taxes erroneously collected.....	253.52

To pay Imperial Sugar Company, Sugarland, Texas, for refund of taxes erroneously collected.....	1,583.50
To pay Walter L. Johnson, Galveston, Texas, in payment of witness fee account.....	8.25
To pay Keller, Will E., et al., El Paso, Texas, for refund of inheritance tax erroneously collected.....	1,857.56
To pay the following named persons the amounts appearing opposite their names for services rendered during the month of November, 1940 in the Department of Labor:	
Buckner, Eula V., Austin, Texas.....	90.00
Perkins, Wilson, Austin, Texas.....	175.00
Moffet, Ellen, Austin, Texas.....	90.00
Grigsby, Johnnie Bell, Austin, Texas.....	90.00
Hutchins, Lois, Austin, Texas.....	90.00
To pay Keepers, Garbon E., Karnes City, Texas, for payment of General Revenue Warrant No. 170960 on which payment was prohibited by Statute of Limitation.....	14.64
To pay Karnes City Citation, Karnes City, Texas, for payment of General Revenue Warrant No. 198648 on which payment was prohibited by Statute of Limitation.....	48.35
To pay Karnes City News, Runge, Texas, for payment of General Revenue Warrant No. 44342 on which payment was prohibited by Statute of Limitation.....	2.00
To pay Kunkel, A. J., Merta, Texas, for refund of breeding fees.....	7.50
To pay Klein Ice Cream Co., Houston, Texas, refund for chain store tax erroneously collected.....	422.09
To pay Label. Ben, Denison, Texas, for refund of taxes erroneously collected.....	18.63
To pay Lund, William, San Antonio, Texas, General Revenue Warrant No. 73069 on which payment was prohibited by Statute of Limitation.....	25.00
To pay Lemons, Jessie L., Colmesneil, Texas, Unemployment Compensation Warrant No. 308803.....	2.47
To pay Lenz, G. A., Cuero, Texas, General Revenue Warrant No. 153962 on which payment was prohibited by Statute of Limitation.....	48.50
To pay Liga Pacifista Pro Patria, Laredo, Texas, refund for franchise tax erroneously collected.....	10.00
To pay Lewis, Clint, Jr., Colorado, Texas, General Revenue Warrant No. 142665 on which payment was prohibited by Statute of Limitation.....	16.50
To pay Lewis, Clint, Jr., Colorado, Texas, for returning fugitives from the State of Arizona to Burleson County.....	200.50
To pay Maples Funeral Home, Snyder, Texas, refund for chain store tax erroneously collected.....	5.00
To pay Marlin Sanatorium House, Inc., Marlin, Texas, for franchise tax erroneously collected.....	74.71
To pay Metropolitan Life Insurance Co., New York, New York, refund of occupation tax erroneously collected.....	7,920.00
To pay Mercury Insurance Co., St. Paul, Minnesota, refund of occupation tax erroneously collected.....	1,381.79
To pay Melville Shoe Corporation, Worchester, Mass., refund of overpayment of chain store tax.....	250.50
To pay Miller, A. F. Company, Incorporated, Houston, Texas, for refund of franchise tax erroneously collected.....	10.20
To pay Maintenance Engineering Corp., Houston, Texas, General Revenue Warrant No. 160419 on which payment was prohibited by Statute of Limitation.....	54.56
To pay Mittendorf, Mrs. Alex, Fredericksburg, Texas, for refund liquor permit.....	37.50
To pay Moore, A. F., Kerrville, Texas, General Revenue Warrants on which payments were prohibited by Statute of Limitation.....	67.60

To pay Maxwell, Anna, Commerce, Texas, General Revenue Warrant No. 149372, on which payment was prohibited by Statute of Limitation.....	166.72
To pay Miller, R. W., Huntsville, Texas, General Revenue Warrant No. 122744 on which payment was prohibited by Statute of Limitation	110.00
To pay New England Mutual Life Insurance Co., Boston, Massachusetts, refund of occupation tax erroneously collected.....	521.13
To pay National Band & Tag Co., Newport, Kentucky, General Revenue Warrants, Nos. 35330 and 39959 on which payment was prohibited by Statute of Limitation.....	57.00
To pay Navasota Independent School District, Navasota, Texas, for payment of Special Warrant No. 4738.....	652.00
To pay Ohio National Insurance Co., Cincinnati, Ohio, refund of occupation tax erroneously collected.....	1,266.16
To pay Peavy, H. S., Sherman, Texas, for refund of taxes erroneously collected	10.40
To pay Pressler Paint & Wall Paper Co., Austin, Texas, refund of franchise tax erroneously collected.....	10.00
To pay Southern Bedding Manufacturing Co., Austin, Texas, refund of license fee erroneously collected by the Health Department	1.50
To pay Ramirez, C. H., Laredo, Texas, for chain store tax erroneously collected	1.50
To pay Reinecker, E. E., Bellville, Texas, for expenses incurred in returning a fugitive from justice from Los Angeles, California to Bellville, Texas.....	187.70
To pay Ricker, Charles C., Austin, Texas refund for license fee erroneously collected by the Insurance Department.....	8.00
To pay Royal, Bob, Abilene, Texas, refund for license fee erroneously collected by the Labor Department.....	50.00
To pay Reed, Allen, Dallas, Texas, for assisting District Attorney in Dallas County, Texas.....	100.00
To pay Stone Fort National Bank, Nacogdoches, Texas, General Revenue Warrant No. 93984, on which payment was prohibited by Statute of Limitation.....	17.50
To pay Smith, D. G., Dallas, Texas, refund of unexpired portion of Beer and Wine Retail Permit.....	26.00
To pay Sengelman, Dr. W. A., Houston, Texas, in payment for medical services to inmates of Texas Penitentiary.....	250.00
To pay Snodgrass, Clifton, Omaha, Texas, refund for Breeding Fees	7.50
To pay Stone, Ben H., Amarillo, Texas, General Revenue Warrants Nos. 58901 and 28306 on which payment was prohibited by Statute of Limitation.....	50.00
To pay Security State Bank and Trust Co., Beaumont, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation.....	104.00
To pay Smith, W. H., Uvalde, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation....	36.95
To pay The Steck Company, Austin, Texas, for printing for the State Board of Dental Examiners.....	11.78
To pay Schuehler, Charles J., Hondo, Texas, in payment of a reward offered by the Governor, James V. Allred, as Governor of Texas.....	250.00
To pay Stewart, Elmon D., Llano, Texas, in payment for the return of a fugitive from Justice from Phoenix, Arizona to Llano, Texas	254.70
To pay Sherryland Public School District, Mission, Texas, for payment of General Revenue Warrant No. 170639, on which payment was prohibited by Statute of Limitation.....	79.12
To pay Southern Lloyds, San Antonio, Texas, in payment of refund from occupation tax erroneously collected.....	190.96

To pay Southwestern Bell Telephone Company, Austin, Texas, for payment of General Revenue Warrant on which payment was prohibited by Statute of Limitation.....	734.26
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Attorney General's Office at Longview, Texas, during the year 1935.....	284.92
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Industrial Accident Board, Austin, Texas, for the year 1939.....	64.15
To pay The Corpus Christi National Bank, Corpus Christi, Texas, for payment of General Revenue Warrant No. 53084, on which payment was prohibited by Statute of Limitation....	8.72
To pay Templin, George H., Austin, Texas, in payment of Court Cost due in Cause No. 55714, the State of Texas versus the Texas Income Insurance Company, passing on final judgment in the said Cause to charge the Court Cost against the State of Texas.....	1,016.30
To pay Texas Cafe, Belton, Texas, refund on chain store tax erroneously collected.....	4.50
To pay The Lamesa National Bank, Lamesa, Texas, in payment of General Revenue Warrants Nos. 57904 and 57905 on which payment was prohibited by Statute of Limitation.....	10.72
To pay Traveler's Insurance Company, Hartford, Connecticut, for refund on occupation tax erroneously collected.....	10,825.14
To pay The Steck Company, Austin, Texas, for printing in the Census Division for the Department of Education.....	923.41
To pay The Schumacher Company, Houston, Texas, Unemployment Warrant.....	8.83
To pay Two States Telephone Co., Texarkana, Texas, for Gross Receipts Tax Refund erroneously collected.....	11,610.10
To pay The Lincoln Life Insurance Company, Fort Wayne, Ind., for refund of taxes erroneously collected.....	936.14
To pay Universal Life Insurance Company, Memphis, Tennessee, refund on license fees collected erroneously by the Insurance Department.....	849.50
To pay Union Central Life Insurance Company, Cincinnati, Ohio, refund on occupation tax erroneously collected.....	13,899.64
To pay The Virginia Fire & Marine Insurance Company, Dallas, Texas, for refund on occupation tax erroneously collected.....	23.00
To pay Wells, E. F., Corsicana, Texas, in payment of Warrant No. 27906 prohibited by Statute of Limitation.....	40.15
To pay Wilcox, A. Clifton, Texas, for refund of taxes erroneously collected.....	21.63
To pay Western Newspaper Union, Delaware, for refund of franchise taxes illegally collected.....	9,546.00
To pay Norris, W. H., Lumber Company, Houston, Texas, for refund on chain store tax erroneously collected.....	25.50
To pay McClurkan & Company, Wichita Falls, Texas, for refund on franchise tax erroneously collected.....	30.00
To pay Williams, W. T., Austin, Texas, for a refund of moneys paid into the Permanent School Fund to purchase two tracts of land which were patented to W. T. Williams, but the patents were subsequently revoked.....	442.44
To pay Williams, H. A., Nacogdoches, Texas, Old Age Assistance Warrant, No. B 3592, on which payment was prohibited by Statute of Limitation.....	11.00
To pay Dick Isbell in settlement of judgment in Cause No. 6471 in the 7th Judicial District of Upshur County, Texas.....	1,000.00
To pay the following named persons the amounts appearing opposite their names for refund of excessive final payment on school lands:	
Settle, Mrs. J. W., Brownfield, Texas.....	3.60
Colorado National Farm Loan Ass'n., Colorado City, Texas ..	2.15
Elliott, Ross, Breckenridge, Texas.....	4.32

Sun Oil Company, Dallas, Texas.....	1.18
Tomlinson, W. E., Dallas, Texas.....	5.04
Rape, J. Marvin Dr., San Angelo, Texas.....	1.51
Ingram Abstract Company, Wharton, Texas.....	3.88
Harrison, R. L., Stamford, Texas.....	15.18
Farmer, A. G., Junction, Texas.....	.62
Strake, Geo. W., for Omar R. Strunk, Houston, Texas.....	3.57
Thompson, J. B., Seminole, Texas.....	36.28
Nield, Daisy C., Texhoma, Oklahoma.....	1.26
Wheeler, Alfred, Sumner, Texas.....	1.32
Willson, John W., Cotulla, Texas.....	2.71
Jones & Fly, San Antonio, Texas.....	1.00
Williams, W. Erskine, Fort Worth, Texas.....	2.23
Waldeck, R. J., Cuero, Texas.....	2.43
Beverly, W. C., Mrs. for Estate of Mrs. C. Adair, Palodura, Texas.....	1.39
Stieren, L. W., San Antonio, Texas.....	56.33
Berry, Tom B., Wellington, Texas.....	4.77
Carr, John, Big Lake, Texas.....	4.24
Clement, Grace, Miss, Wellington, Texas.....	5.01
Irion, M. R., Dallas, Texas.....	2.99
Moss, Paul, Odessa, Texas.....	6.85
Barnes, Cecil H., San Angelo, Texas.....	1.76
Wilhelm, Fritz; Menard, Texas.....	25.66
Duncan, A. B. Abstract Company, Floydada, Texas.....	38.67
Hodge, C. T., Admr. for Estate of Leonard Taylor, Fort Worth, Texas.....	6.15
Sanderson N. F. L. A., Sanderson, Texas.....	3.80
Jayton N. F. L. A., Jayton, Texas.....	3.67
Schreiner, L. A., Kerrville, Texas.....	19.07
Turkey N. F. L. A., Turkey, Texas.....	2.50
Thompson, Charles C., Colorado City, Texas.....	3.70
Pampa, N. F. L. A., Pampa, Texas.....	2.71
Brady N. F. L. A., Brady, Texas.....	1.02
Brady N. F. L. A., Brady, Texas.....	1.25
Weatherred, W. M., Coleman, Texas.....	1.00
Big Bend Abstract Company, Alpine, Texas.....	2.08
Swisher County Abstract Company, Tulia, Texas.....	4.40
Swearingen & Miller, San Antonio, Texas.....	8.35
Federal Land Bank, Houston, Texas.....	367.91
To pay the following named persons the amounts appearing opposite their names for refund of excessive final payments on asylum land:	
Jaye, Fred O., De Leon, Texas.....	29.86
To pay the following named persons the amounts appearing opposite their names for refund of excessive interest payments on school land:	
Cleveland, W. H., Marfa, Texas.....	66.40
Parker, W. D., Kerrville, Texas.....	9.36
Proctor, D. C., Fort Worth, Texas.....	38.50
Whitworth, W. W., Kerrville, Texas.....	5.85
To pay the following named persons the amounts appearing opposite their names for refund of excessive interest payment on asylum land:	
Hampton, E. G., Baird, Texas.....	7.67
To pay the following named persons the amounts appearing opposite their names for refund of credits existing by reason of cancelled school land sales:	
York, R. L., Midland, Texas.....	200.00
Erskine, C. H., San Antonio, Texas.....	26.55
Ahlers, L. B., et al., Eagle Lake, Texas.....	150.41
To pay the following named persons the amounts appearing opposite their names for refund of excessive bonus and rental payments:	
Baldwin, Molly Mrs., Jefferson, Texas.....	20.39

Baldwin, Molly Mrs., Jefferson, Texas.....	20.39
Arkansas-Louisiana Gas Company, Shreveport, Louisiana.....	20.39
Arkansas-Louisiana Gas Company, Shreveport, Louisiana.....	20.39
Brown, Herman, Austin, Texas.....	100.00
To pay the following named persons the amounts appearing opposite their names for refund of credit existing by reason of cancelled grazing lease:	
Wingfield, W. W., and Sandel, D. W., Leakey, Texas.....	17.70
To pay the following named persons the amounts appearing opposite their names for refund of excessive fees paid into General Revenue Fund:	
Sieber, E. Hayes, Lubbock, Texas.....	2.00
Brittain, L. H., Fort Worth, Texas.....	2.00
Chaney & Davis, San Antonio, Texas.....	1.50
Clay, Bessie, Byars, Oklahoma.....	.50
Collins, Jackson & Sndograss, San Angelo, Texas.....	6.00
First National Bank, Hereford, Texas.....	.50
King, Roy H., Wichita Falls, Texas.....	1.75
Sadd, M. C., San Antonio, Texas.....	1.00
Snider, L. B., San Antonio, Texas.....	5.00
Steinle, Alfred N., Jourdanton, Texas.....	1.25
Smith & Smith, Fort Worth, Texas.....	1.00
Albaugh, Ray A., Lamesa, Texas.....	.50
Cone, Gordon M., Lubbock, Texas.....	1.00
Smith, Fielding G., Austin, Texas.....	1.00
Landreth Production Corporation, Fort Worth, Texas.....	1.00
Landreth Production Corporation, Fort Worth, Texas.....	1.00
Jones, Edgar E., Munday, Texas.....	1.00
Wohlford, Chas. J., San Angelo, Texas.....	.50
Union Central Oil Company, Houston, Texas.....	.50
Walston, Cecil, Menard, Texas.....	3.50
Thomas, Noble, Channing, Texas.....	1.00
Meeker, J. R., Fort Worth, Texas.....	3.00
Baten, Thomas J., Beaumont, Texas.....	.75
Baten, Thomas J., Beaumont, Texas.....	4.00
Butts, Mollie J., Shamrock, Texas.....	1.00
King, B. D., Wharton, Texas.....	17.75
Amarillo Abstract Company, Amarillo, Texas.....	1.75
Bowen, Felix, Tulsa, Oklahoma.....	1.00
Barclay, Lillian, Waco, Texas.....	.35
Butz, H. H., Fort Stockton, Texas.....	.50
Cox & Brown, Temple, Texas.....	1.00
Collins, Bryant M., Corpus Christi, Texas.....	4.00
Capitol City Astract Company, Austin, Texas.....	3.60
Dumas, M. E., Plains, Texas.....	.50
Damon, S. E., Austin, Texas.....	1.25
Gothard, C. C., Hobbs, New Mexico.....	.50
Garrett Abstract Company, Cuero, Texas.....	.50
Green, O. W., San Angelo, Texas.....	.50
Gill, Hugh, Houston, Texas.....	.75
Hedberg, H. A., Fort Worth, Texas.....	1.00
Haxel, G. G., Alice, Texas.....	1.00
Johnson, Tom C., San Marcos, Texas.....	1.25
Klingeman, D. O., Karnes City, Texas.....	.75
McPherson, A. M., Wichita Falls, Texas.....	2.00
Miesse, R. S., Los Angeles, California.....	1.00
Mackey, J. T., Houston, Texas.....	.75
Pearson, Mrs. J. J., Wichita Falls, Texas.....	.50
Phillips Drilling Company, San Antonio, Texas.....	1.00
Peiler, Fred, Lampasas, Texas.....	1.00
Reed, D. C., Austin, Texas.....	.25
Harvey, Pritchett, Houston, Texas.....	.50
Ray, Hilda Blair, Midland, Texas.....	1.00
Russell & Russell, Baird, Texas.....	.25
Ritchey & Ritchey, Mineral Wells, Texas.....	1.25

Smith, Albert, Houston, Texas.....	.25
Strahan, N. M., Big Spring, Texas.....	.50
Samuels, A. W., Fort Worth, Texas.....	1.00
Terry County Abstract Company, Brownfield, Texas.....	.50
Webb, G. P., Sherman, Texas.....	1.25
Wright, F. D., Cisco, Texas.....	1.00
Withers, Robert G., Fort Davis, Texas.....	1.00
Sub-section B. There is hereby appropriated out of the Highway Fund the following amounts:	
To pay Ackerman, Mrs. J. Albert, San Antonio, Texas, in settlement of a judgment in Cause No. 89527 in the District Court of the 37th Judicial District, Bexar County, Texas.....	1,827.00
To pay Barrett, M. L., Belton, Texas, in payment of judgment entered in Cause No. 22783, District Court of Bell County, Texas.....	200.00
To pay Burton, Fred M., & Company, Galveston, Texas, for Insurance on ferry boats.....	373.56
To pay Bradham Insurance Agency, Brady, Texas, in payment of State Highway Warrant on which payment was prohibited by Statute of Limitation.....	21.15
To pay Caldwell & Sons, Abilene, Texas, for payment of Warrant No. 35479, payment of which was prohibited by Statute of Limitation.....	81.76
To pay Hartman, J. A., Rockwall, Texas, for payment of Motor Fuel Refund Tax Warrant No. 84527 on which payment was prohibited by Statute of Limitation.....	7.71
To pay Janss, T. D., Hillsboro, Texas, in payment of State Highway Warrant No. 113810, payment of which was prohibited by Statute of Limitation.....	800.00
To pay Marckwardt, Edwin, San Antonio, Texas, in payment of judgment entered against the State of Texas in the 57th Judicial District Court of Texas.....	1,250.00
To pay Caledonia Steel Co. in full settlement of judgment in Cause No. 53909 in the 126th District Court of Travis County.....	3,250.00
Sub-section C. There is hereby appropriated out of the Motor Fuel Tax Fund the following amounts:	
To pay Carr, James, Encinal, Texas, for Motor Fuel Tax Refund.....	368.08
To pay Lamb County, Motor Fuel Refund, Precinct No. 4, Warrant No. 59115.....	117.92
To pay Espinosa, J. P., Nelvin, Texas, for payment of Motor Fuel Warrant No. 54645, on which payment was prohibited by Statute of Limitation.....	9.69
To pay Lavaca County, Texas, for Motor Fuel Tax Refund.....	56.63
To pay Montgomery County, Texas, for Motor Fuel Tax Refund.....	205.36
To pay Asa E. Ramsay, Jefferson, Texas, for gasoline tax exemption certificates filed with the Comptroller of Public Accounts, on which payment is prohibited by the Statute of Limitation.....	187.20
To pay Reah, Clemens, Fredericksburg, Texas, for payment of Motor Fuel Warrant No. 83419.....	3.36
To pay Scott, N. M., Del Rio, Texas, for payment of Motor Fuel Warrant No. 56545.....	42.36
To pay Texas Bithulithic Co., Tyler, Texas, for payment of Motor Fuel Tax Refund.....	186.56
To pay Winkler, J. A., San Antonio, Texas, for payment of Refund on Motor Fuel Tax Warrant No. 66896.....	10.88
To pay Whatley, W. T., Houston, Texas, for payment of Motor Fuel Warrant No. 178824.....	12.54
To pay Wiley, H. A., Stephenville, Texas, for payment of Motor Fuel Warrant No. 55081.....	9.89
To pay Whittliff, A., Galveston, Texas, for payment of Motor Fuel Warrant No. 64076.....	27.27
To pay Leslie Neel, Motor Fuel Warrant No. 59850.....	71.71
To pay Lee Fortenberry, Motor Fuel Refund.....	38.00

Sub-section D. There is hereby appropriated out of the Confederate Pension Warrant Fund the following amounts:

To pay Brown, Mary Lee, Austin, Texas, Warrant No. 73902, on which payment was prohibited by Statute of Limitation.....	25.00
To pay Broyles, Georgia A., Cherokee, Texas, Warrant No. 11011, on which payment was prohibited by Statute of Limitation.....	25.00
To pay Rehl, Clemens, Fredericksburg, Texas, for payment of Confederate Pension Warrants.....	150.00
To pay Citizens National Bank, Cameron, Texas in payment of Confederate Pension Warrants.....	675.00
To pay Citizens National Bank, Cameron, Texas in payment of Confederate Pension Warrants.....	125.00
To pay Citizens National Bank, Cameron, Texas in payment of Confederate Pension Warrants.....	225.00
To pay Citizens National Bank, Cameron, Texas in payment of Confederate Pension Warrants.....	200.00
To pay First State Bank, Overton, Texas, in payment of Confederate Pension Warrants.....	450.00
To pay Mrs. Lizzie P. Hughes, Kemper, Texas, Warrant Duplicate No. 1885, dated September 30, 1937, Confederate Widow Pension, on which payment is prohibited by the Statute of Limitation.....	25.00
To pay Parrish, M. C. & Company, Austin, Texas, in payment of Confederate Pension Warrants.....	400.00
To pay Pennington, Mrs. C. A., Cleburne, Texas, in payment of Confederate Pension Warrant.....	125.00
To pay Strawn, Lewis P., Mineral Wells, Texas, for refund of money erroneously placed in the Pension Fund by the State Comptroller.....	125.00
To pay Tate, A. C., Honey Grove, Texas, Confederate Pension Warrant.....	50.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants.....	225.00

Sec. 2. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated the same shall have the approval of the State Comptroller, and the Attorney General. It is further provided that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named.

Sec. 3. That the Comptroller of Public Accounts is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and shall mail or deliver to each of said persons, firms, or corporations at their said respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms, or corporations shall duly receipt the Comptroller for said warrant or warrants for payment of said claim or claims.

Sec. 4. The fact that the claims herein appropriated for are past due,

and the persons, firms, and corporations to whom the same are payable are being deprived of the proceeds thereof creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Senator Lanning moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lovelady
Brownlee	Martin
Chadick	Mauritz
Fain	Metcalf
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—6

Beek
Cotten
Moffett

Moore
Shivers
Spears

Absent—Excused

Hill
Smith

Winfield

House Concurrent Resolution 284

The President laid before the Senate and had read (the resolution having been received from the House today):

H. C. R. No. 284, Authorizing Mrs. R. E. Benton and Mrs. Edna Lyon to sue the State.

On motion of Senator Stone and by unanimous consent, the resolution was considered and adopted at this time.

House Bill 86 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 86 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, 1936, page 1993, as amended by Acts of the Forty-fifth Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the Forty-sixth Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment,' providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration, solely by the way of commissions, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remainder shall not be affected thereby,

and, further; declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 86, page 7, by inserting a new Section to be known as Section 1 (a), reading as follows:

"Section 1 (a). That Section 5 of Chapter 482, General and Special Laws Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 2, Title: Labor, General Laws, Forty-sixth Leg., Regular Session, be amended so as to hereafter read as follows:

"Disqualification for Benefits

"Sec. 5. An individual shall be disqualified for benefits:

"(a) If the Commission finds that he has left his last employment voluntarily without good cause connected with his employment. Such disqualification shall be for not less than one (1) nor more than eight (8) benefit periods immediately following the filing of a valid claim, as determined by the Commission according to the circumstances in each case.

"(b) If the Commission finds that he has been discharged for misconduct connected with his employment. Such disqualification shall be for not less than one (1) nor more than eight (8) benefit periods immediately following the filing of a valid claim, as determined by the Commission in each case according to the seriousness of the misconduct.

"(c) If the Commission finds that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the Commission or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the Commission. Such disqualification shall be for not less than one (1) nor more than four (4) benefit periods following the filing of a valid claim, as determined by the Commission according to the circumstances in each case.

"(1) In determining whether or not any work is suitable for an individual, the Commission shall consider the degree of risk involved to his health, safety and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary

occupation, and the distance of the available work from his residence.

"(2) Notwithstanding any other provisions of this Act, no work shall be deemed suitable and benefits shall not be denied under this Act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (b) If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (c) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

"(d) For any benefit period with respect to which the Commission finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed, provided that this Subsection shall not apply if it is shown to the satisfaction of the Commission that:

"(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work;

"(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; provided, that if in any case separate branches of work which are commonly conducted as separate business in separate premises are conducted in separate departments of the same premises, each such department shall for the purpose of this Subsection, be deemed to be a separate factory, establishment, or other premises.

"(e) For any benefit period with respect to which he is receiving or has received remuneration in the form of:

"(1) Wages in lieu of notice.

"(2) Compensation for temporary partial disability, temporary total disability or total and permanent disability under the Workmen's Compensation Law of any State or under a similar Law of the United States;

"(3) Old Age Benefits under Title II of the Social Security Act as amended, or similar payments under any Act of Congress, or a State Legislature, or employer pension plan, provided, that if such remuneration is less than the benefits which would otherwise be due under this Act, he shall be entitled to receive for such benefit period, if otherwise eligible, benefits reduced by the amount of such remuneration.

"(f) In determining the number of benefit periods during which any individual is entitled to receive benefits in a benefit year, the Commission shall deduct any period of disqualification as provided in Subsection (a), (b), and (c) of this Section from the total number of benefit periods during which he would otherwise be entitled to receive benefits except for such disqualification; provided, that in no case shall the number of benefit periods so deducted exceed the number of benefit periods during which the claimant is then eligible to receive benefits except for such disqualification."

The amendment was adopted.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 86 by striking out "April 1, 1941," in Subsections (g) (1) and (o), and inserting in lieu thereof the date "October 1, 1941." Amend the caption to conform.

The amendment was adopted.

On motion of Senator Van Zandt, the following committee amendment to the caption of the bill was adopted:

Amend the caption to read as follows:

"An Act to amend Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session (1936), page 1993, as amended by Acts of the Forty-fifth Legislature (1937), Chapter 67, page 121, and as amended by Acts of the Forty-sixth Legislature (1939), page 436, so as to make the Texas Unemployment Compensation Law, conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act; providing definitions of the terms, 'Base Period,' 'Calendar Quarter,' 'Benefits,' 'Benefit Year,' 'Commission,' 'Contributions,' 'Employing Unit,' 'Employer,' and meanings thereof, 'Employment,' meanings thereof and inclusions therein, and exclusions therefrom, and 'Included and Excluded Service,' within the

term 'Employment'; defining 'Employment Office,' 'Fund,' 'Partial Employment,' 'State,' 'Total Unemployment,' 'Unemployment Compensation Administration Fund,' 'Valid Claim,' 'Wages,' 'Week,' 'Benefit Amount,' 'Benefit Period,' and providing for repeal of all parts of Chapter 482, General and Special Laws, Forty-fourth Legislature, Third Called Session, as amended by Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Chapter 2, Title 'Labor,' General Laws, Forty-sixth Legislature, Regular Session, in conflict herewith and all laws or parts of laws in conflict herewith, but not in any wise forfeiting or waiving any rights of the State of Texas or the Texas Unemployment Compensation Commission to collect contributions, interest or penalties that have accrued under said Chapter, or the right of prosecution for violating any provision thereof; and declaring an emergency."

The bill then was passed to third reading.

House Bill 86 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Smith	

Senate Resolution 180

Senator Lovelady offered the following resolution:

Be it resolved by the Senate of the State of Texas, That the committee created by S. R. No. 5 of the Regular Session of the Forty-seventh Legislature is hereby empowered and authorized to inquire into any violations of the law of this State with reference to the conduct of an election or elections, the expenditure of money or other things of value in connection with elections, and to investigate the manner of voting, to investigate the ballot, the manner of counting said ballots, the manner of making reports, the manner of tabulating said ballots, and to determine whether or not said ballots have been correctly counted and reported, and to investigate any and all matters pertaining to said election or elections which might be in violation of the laws of the State of Texas; and be it further

Resolved, That said committee shall have the power to do all things necessary to establish the correctness of any count or purported count or report with reference to the number of said ballots cast in any box, voting box, or any voting precinct, and to investigate the records of any officer acting in connection with said election or elections.

The resolution was read.

Senator Moffett moved the previous question on the resolution, and the motion was duly seconded.

The main question was ordered by the following vote:

Yeas—16

Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Fain	Shivers
Kelley	Stone
LoVelady	Van Zandt
Martin	Weinert
Metcalfe	York

Nays—11

Aikin	Lanning
Cotten	Lemens
Formby	Mauritz
Graves	Spears
Hill	Sulak
Isbell	

Absent

Hazlewood	Vick
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Absent—Excused

Smith	Winfield
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Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Fain	Shivers
Formby	Spears
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	York
Mauritz	

Nays—3

Cotten	Hill
Graves	

Absent

Hazlewood

Absent—Excused

Smith	Winfield
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Concurrence in House Amendment to Senate Concurrent Resolution 86

Senator Metcalfe called S. C. R. No. 86 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and House amendment before the Senate, and the House amendment was read, as follows:

Amend the resolution [relative to adjournment sine die] by striking out "12:00 o'clock noon," and inserting in lieu thereof "6:00 o'clock p. m."

On motion of Senator Metcalfe, the Senate concurred in the House amendment.

Emergency Clause Added to Senate Bill 507

On motion of Senator Aikin, and by unanimous consent, it was ordered that S. B. No. 507 be amended by adding an emergency clause thereto.

Message from the House

A Clerk from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 498, A bill to be entitled "An Act amending H. B. No. 271, which was passed by the Forty-seventh Legislature, 1941, which became effective April 18, 1941, for the purpose of correcting a clerical error made in said bill; and declaring an emergency."

S. B. No. 505, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioner's precincts of said county, to aid in projects sponsored by Wise County, Texas, in cooperation with Federal Works Progress Administration or its successors and for general relief and rehabilitation purposes; authorizing the Commissioners' Court of Wise County, Texas, to issue short term bonds, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of the moneys donated; defining certain conditions within said county to constitute a public calamity and declaring an emergency; providing that if any Section,

Subsection, paragraph, clause, sentence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portions, despite any partial invalidity."

As amended.

H. B. No. 1104, A bill to be entitled "An Act to empower any city or town in this State now or hereafter incorporated under the General Laws of this State, and not having a special charter, and not having a charter adopted or amended under the home rule provisions of the Constitution and Statutes of this State, having located within or adjacent to or within one mile of the corporate limits thereof a toll bridge between the United States of America and the Republic of Mexico, to acquire such toll bridge, with its rights and franchises and appurtenant properties, by purchase thereof from the owners thereof; to maintain and operate same, fix and collect tolls and charges for the use thereof; to mortgage and encumber same and the revenues thereof; in connection therewith to construct, maintain and operate parks, camps, quarters and accommodations for use and convenience of the public and to police, regulate and control same and fix and collect fees and charges for the use thereof; to accomplish the purposes of the Act to borrow money and accept grants from the United States of America or any agency thereof or from any person or corporation; for the purposes of this Act to issue its negotiable bonds or warrants and secure payment thereof by the mortgage or pledge of the properties acquired and the income and revenues thereof; prescribing details in respect to the issuance of such bonds or warrants; the manner in which the price for which such bonds or warrants may be sold or exchanged for property; that the provisions of Articles 1111 to 1118, inclusive, and of the Bond and Warrant Law of 1931, and all amendments thereto, shall apply; providing that nothing in this Act shall authorize any such city or town acting in pursuance hereof to levy or collect any taxes or assessments or to pledge the credit of the State; that all bonds or warrants issued pursuant to this Act shall be negotiable instruments, shall be ex-

empted from all State, county, municipal and other taxation under the laws of this State; providing a basis for the tolls, rentals, fees and charges to be fixed and collected for use of such properties; that the provisions of this Act shall be cumulative of existing laws; that if any part of this Act shall be held invalid same shall not affect the validity of any other part thereof; and declaring an emergency."

H. B. No. 1105, A bill to be entitled "An Act to correct typographical error in H. B. No. 351, passed at the Regular Session of the Forty-seventh Legislature by striking out the word 'predecessor' in Section 4 and substituting in lieu thereof the word 'successor'; and declaring an emergency."

S. B. No. 507, A bill to be entitled "An Act amending S. B. No. 402 of this, the Forty-seventh Legislature to provide that where United States aid is received on any project for eleemosynary institutions, the completion of which extends beyond the end of the fiscal year for which moneys have been appropriated, that any unexpended appropriated balance may be used during the next fiscal year to complete the project; and declaring an emergency."

H. C. R. No. 286, Inviting Honorable Coke Stevenson and Homer Leonard to address a Joint Session.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Signing of Bills and Resolution

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolution:

S. B. No. 127, A bill to be entitled "An Act amending Articles 777 and 779 of the Code of Criminal Procedure of the State of Texas of 1925, defining certain terms; providing for penalties, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act amending Article 183 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the time during which an indictment, information, or complaint has been pending shall not be computed in the period of limitation; defining certain terms, repealing all laws and

parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. B. No. 360, A bill to be entitled "An Act amending Article 2960, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act amending Article 2959, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

S. B. No. 497, A bill to be entitled "An Act making sabotage an offense; defining the term sabotage; providing the penalty therefor; providing that the offense of sabotage shall be cumulative with any offense now prohibited by law coming within the term sabotage; and providing the State may elect under which law it will prosecute; providing a period of limitation for the prosecution of the offense of sabotage; providing a savings clause; and declaring an emergency."

S. B. No. 506, A bill to be entitled "An Act to amend Section 1 of Chapter 88, page 189, Special Laws, Forty-second Legislature, Regular Session, 1931, as amended by S. B. No. 369, Acts of the Regular Session of the Forty-seventh Legislature, 1941, (Article 5138a, Revised Civil Statutes of Texas) to empower and authorize counties having a population of not less than three hundred ninety thousand (390,000), and not more than five hundred thousand (500,000), according to the last preceding Federal Census, and containing a city having a population of not less than two hundred ninety thousand (290,000), and not more than three hundred fifty thousand (350,000), according to the last preceding Federal Census, jointly with such city to establish, own and operate a parental home and school for the training of dependent and delinquent youth resident of that county or city; and declaring an emergency."

S. C. R. No. 86, Providing for sine die adjournment of the Legislature at 6:00 o'clock p. m. Thursday, July 3, 1941.

House Bill 349 Passed over Governor's Veto

Senator Lanning moved that H. B. No. 349, vetoed by the Governor and passed by the House notwithstanding

the Governor's objections thereto, be reconsidered and passed by the Senate, notwithstanding the Governor's objections to the bill and his veto thereof.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Mauritz
Cotten	Metcalf
Fain	Moffett
Formby	Ramsey
Graves	Spears
Hazlewood	Stone
Hill	Vick
Kelley	Weinert

Nays—5

Isbell	Sulak
Martin	Van Zandt
Moore	

Absent

Shivers	York
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Absent—Excused

Smith	Winfield
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House Bill 502 Passed over Governor's Veto

Senator Formby moved that H. B. No. 502, vetoed by the Governor and passed by the House notwithstanding the objections of the Governor thereto, be now reconsidered and passed by the Senate, notwithstanding the objections of the Governor to the bill and his veto thereof.

The motion prevailed by the following vote:

Yeas—23

Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hill	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	York
Lovelady	

Nays—3

Aikin	Martin
Isbell	

Absent

Hazlewood Weinert
Vick

Absent—Excused

Smith Winfield

House Bill 3 on Second Reading

Senator Fain moved that the regular order of business be suspended to permit consideration of H. B. No. 3 at this time.

The motion prevailed by the following vote:

Yeas—20

Beck	Lemens
Brownlee	Lovelady
Cotten	Martin
Fain	Mauritz
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Spears
Isbell	Stone
Lanning	Van Zandt

Nays—7

Aikin	Sulak
Chadick	Vick
Metcalf	York
Moffett	

Absent

Kelley Weinert

Absent—Excused

Smith Winfield

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 3, A bill to be entitled "An Act making a specific appropriation out of the General Revenue Fund of the State of Texas, not otherwise appropriated, to pay a judgment obtained by Trinity Portland Cement Company against the State of Texas pursuant to resolution granted by the State of Texas to the said Trinity Portland Cement Company, authorizing it to sue the State of Texas for the recovery of filing fees and franchise taxes paid to the Secretary of the State of Texas, which filing fees and franchise taxes the courts of the State of Texas held to have been illegally collected; and providing further that the Comptroller of the State of Texas be directed to issue warrant to pay said judgment to the party

herein named in payment of the same in the amount specified herein; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 3 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Beck	Martin
Brownlee	Mauritz
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Isbell	Stone
Lanning	Sulak
Lemens	Weinert
Lovelady	

Nays—5

Aikin	Vick
Chadick	York
Metcalf	

Absent

Hill Van Zandt
Kelley

Absent—Excused

Smith Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—16

Beck	Lemens
Brownlee	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Ramsey
Hazlewood	Shivers
Isbell	Spears
Lanning	Stone

Nays—11

Aikin	Metcalf
Chadick	Moffett
Cotten	Moore
Hill	Sulak

Vick	York
Weinert	
Absent	
Kelley	Van Zandt
Absent--Excused	
Smith	Winfield

Adoption of Conference Committee Report on House Bill 29

Senator Sulak moved that the report of the Conference Committee on H. B. No. 29 (relating to weights and measures) heretofore submitted, be now adopted by the Senate.

The motion prevailed by the following vote:

Yeas—20

Brownlee	Mauritz
Chadick	Metcalfe
Fain	Moffett
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Hill	Stone
Kelley	Sulak
Lemens	Weinert
Martin	York

Nays—8

Aikin	Lanning
Beck	Lovelady
Cotten	Moore
Isbell	Vick

Absent

Van Zandt

Absent—Excused

Smith	Winfield
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House Concurrent Resolution 282

The President laid before the Senate and had read (the resolution having been received from the House today):

H. C. R. No. 282, Authorizing the loan of guard wire to Malakoff Public School District.

On motion of Senator Cotten and by unanimous consent, the resolution was considered and adopted at this time.

Concurrence in House Amendments to Senate Bill 505

Senator Lanning called S. B. No. 505 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate.

On motion of Senator Lanning, the Senate concurred in the House amendments.

Report of Committee on House Bill 1068

Senator Moore, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of H. B. No. 8 passed by the Regular Session of the Forty-seventh Legislature, levying a gross receipts tax upon the retail sales of new radios; levying a stamp tax upon the sale of cosmetics and playing cards and requiring the Comptroller to control the purchase and sale of such stamps; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute hereto attached do pass in lieu of the original bill and be not printed.

MOORE, Chairman.

Committee Substitute House Bill 1068 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to permit consideration of C. S. H. B. No. 1068 at this time.

The President laid before the Senate on its second reading and passage to third reading:

C.S.H.B. No. 1068, A bill to be entitled "An Act to amend Article X of H. B. No. 8, passed by the Regular Session of the Forty-seventh Legislature, placing a gross receipts tax upon the retail sales of new radios; levying a stamp tax upon the sale of cosmetics and playing cards; etc.; and declaring an emergency."

The bill was read second time.

Senator Chadick offered the following amendment to the bill:

Amend the committee substitute for H. B. No. 1068, page 4, Section 3, by striking out the words:

"Where such sales price is more than ten cents (10c)."

Senator Fain moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—15

Brownlee	Metcalf
Cotten	Moffett
Fain	Moore
Graves	Ramsey
Hill	Stone
Kelley	Sulak
Lovelady	York
Mauritz	

Nays—12

Aikin	Lanning
Beck	Lemens
Chadick	Martin
Formby	Shivers
Hazlewood	Van Zandt
Isbell	Weinert

Absent

Spears Vick

Absent—Excused

Smith Winfield

The bill was passed to third reading.

House Bill 1068 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1068 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Beck	Martin
Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Isbell	Shivers
Kelley	Stone
Lanning	Van Zandt
Lemens	Weinert
Lovelady	York

Nays—4

Aikin	Chadick
Brownlee	Sulak

Absent

Hill Vick
Spears

Absent—Excused

Smith Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Beck	Moffett
Cotten	Moore
Fain	Ramsey
Graves	Shivers
Isbell	Stone
Kelley	Van Zandt
Lovelady	Vick
Martin	York
Mauritz	

Nays—9

Aikin	Lanning
Brownlee	Lemens
Chadick	Metcalf
Formby	Sulak
Hazlewood	

Absent

Hill Weinert
Spears

Absent—Excused

Smith Winfield

Message from the House

A Clerk from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 1107, A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand (\$50,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of Members and the per diem of officers and employees of the Reg-

ular Session of the Forty-seventh Legislature; and declaring an emergency."

The House has failed to pass S. B. No. 183 by a vote of 46 yeas, 52 nays—2 present.

The House has failed to pass S. B. No. 489 by a vote of 53 yeas, 68 noes.

The House refused to concur in Senate amendments to H. B. No. 682 and has requested the appointment of a Conference Committee to consider the differences between the two Houses and appoints: Messrs. Avant, Celaya, Thornton, Moore, and Price.

The House requests the appointment of a new Conference Committee on S. B. No. 119 and the following have been appointed on the part of the House: Messrs. Stanford, McGlasson, Coker, Crosthwait, and Lock.

H. B. No. 1095, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

S. B. No. 166, A bill to be entitled "An Act to amend Chapter 160, page 406, Acts Regular Session of the Forty-third Legislature, as amended by S. B. No. 99, Chapter 12, page 33, Acts Regular Session of the Forty-fourth Legislature; repealing H. B. No. 135, Chapter 31, page 90, Acts Regular Session of the Forty-fourth Legislature; and declaring an emergency."

The House has adopted the Conference Committee report on S. B. No. 471 by a vote of 91 yeas, 29 noes.

The House refused to concur in Senate amendments to H. B. No. 86 and has requested the appointment of a Conference Committee to consider the differences between the two Houses and appoints: Messrs. Walters, Lowry, Thornton, Love and Lansberry.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Bills on First Reading

The following bills received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 1104, to Committee on Towns and City Corporations.

H. B. No. 1107, to Committee on Finance.

Hour Set for Executive Session

On motion of Senator Martin and by unanimous consent, the Senate agreed to hold an executive session at 11:00 o'clock a. m. tomorrow.

Message from the Governor

The President laid before the Senate and had read the following message from the Governor:

Austin, Texas,
June 30, 1941.

To Members of the Forty-seventh Legislature:

I am today approving S. B. No. 423, the bill making appropriations for the various departments of government.

In my judgment, the appropriation for the Agricultural Departments is excessive, but the bill is so drawn that it would be only a waste of time for the Governor to veto individual items, for the reason that the appropriation bill lists the following funds: Citrus Grading Fund, Citrus Fruit Inspection Fund, Cotton Seed Inspection Fund, Jack and Stallion Fund, and Agricultural Protective Act Fund. The revenue accruing to these funds in 1940 amounted to \$220,005 and in the bill all of the revenue which may accrue during the coming biennium, is appropriated to this department and, in addition, any balances which may remain in these funds at the end of the present biennium, are so appropriated.

So it is very obvious that when all of these funds are appropriated to the department, if the Governor should veto any item in the itemized appropriation bill, the department could render the veto totally ineffective by simply putting on a temporary employee or by utilizing these funds to cover any other item vetoed. Therefore, notwithstanding the fact that I believe the appropriation for this department is excessive, I have not vetoed any items.

I have not vetoed any item of appropriation for the Texas Liquor Control Board for the reason that the way the bill is drawn the vetoing of any item would, in my judgment, be en-

tirely ineffective because the appropriation bill is so drawn that, in addition to the items covered in this appropriation, all of the revenue derived from the tax on liquor prescriptions is appropriated to and made available for the use of the Board. Therefore, by the simple process of employing what would be called temporary help, the Liquor Control Board could make ineffective any veto which the Governor might make of the bill. It seems to me that, as the bill is drawn, there is practically no limit to the amount of money which may be expended by the Texas Liquor Control Board, except as that limit would come from the sum total of revenue which would be available from tax funds. But certainly as the bill is written you cannot limit what they would spend by the vetoing of any individual items, in the appropriation bill.

I think my desire to see the liquor laws in Texas enforced to the fullest extent is well known, but I certainly do not believe that the wide discretion of spending money, which this bill grants to the Liquor Control Board, should be permitted, but, as the bill is drawn, there is nothing the Governor can do about it.

I do not believe that there is any other department of the State Government where there is more need for change in the method of spending public funds than exists in the Game, Fish and Oyster Commission. This appropriation bill provides for a far greater number of employees than the Commission now has and I think the number which the Commission now has, is excessive. But the Legislature in passing this bill appropriated to the Game, Fish and Oyster Commission all of the revenue which will accrue during the coming biennium from the Special Game Fund; Fish Propagation and Protection Fund; Medina Lake Fund; Sand, Shell and Gravel Fund; Fish and Oyster Fund; the Lake Worth-Eagle Mountain Lake Fund; and it also provides not only that they could expend all revenue derived from these funds during the coming biennium, but it further provides that they could expend any balances which may exist in these funds at the end of the current biennium.

At the end of the last fiscal year these funds had something more than \$127,000. It is easy to see, therefore, that when the appropriation bill

simply cleans out the treasury in so far as those funds are concerned, and appropriates any and all balances which may be on hand at the end of this biennium and then, in addition, appropriates all of the money which will accrue to these funds during the coming biennium and leaves it to the discretion of the Commission to spend the money, with no limitation except that the money shall be expended for purposes stated in existing law, and that if additional employees are selected, they shall be temporary, with this wide open authority to the Commission, certainly it would be a waste of time to veto any individual items. Therefore, none have been vetoed.

If it was the desire of the Legislature to write the appropriation bill for this department so that the Governor could not effectively veto any item unless he vetoed the entire appropriation for the department, they did a good job because that is exactly the condition in which the bill is.

I call the attention of the Legislature, however, to this fact: expenditures of this Commission for the year ending August 31, 1940, totalled \$602,549; of that amount \$317,460 was expended for salaries; \$149,005 was expended for travel expenses; the total for these two items of expenditures was \$466,465, leaving a total of \$136,048 for other expenditures. and of this remaining amount, it was expended for the following purposes; rent, advertising, etc., \$23,665; supplies \$47,559; repairs, \$18,784; acquisition of property, \$22,257; making a total of \$112,265. Now we get down to how much was spent for the purchase of game and feed for game and fish and you find this astounding low figure, \$19,268.

Is it any wonder that no progress is being made in replenishing game on the farms and ranches of this State? Is there any wonder that so little progress is being made in replenishing fish in the inland lakes and small streams of this State. When out of a total expenditure of \$602,549, only \$19,268 was expended for the purchase of game and feed for game and fish.

I think if properly handled, the Game, Fish and Oyster Commission could become one of the most valuable departments of the State Government. I believe that if we would re-stock the quail all over this State; if we could fill our inland lakes and small streams with fish; if we could

re-stock the wild turkeys and the deer, not in just a few private game preserves to serve the favored few, but if we could carry out such a policy to cover the whole State, it would be one of the greatest assets the State of Texas could have and it would yield a definite return in dollars and cents. But so long as that does not exist; so long as the great bulk of the money appropriated is expended to hire more and more people to do more and more traveling, just that long, I think, the department will continue to fail to perform its proper duties. But the appropriation bill is so written that nothing would be gained by vetoing individual items and having them immediately re-instated. All I can do, as Governor, is to call the facts of the situation to the attention of the public, with the hope that some future Legislature may do something to change this situation.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

Report of Conference Committee on House Bill 703

Senator Shivers submitted the following report of the Conference Committee on H. B. No. 703:

Committee Room,
Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the House and Senate on H. B. No. 703, beg leave to report that we have considered the same, and recommend that it do pass in the form and text as attached hereto.

Respectfully submitted,

SHIVERS,
WINFIELD,
MOORE,
RAMSEY,
WEINERT,

On the part of the Senate;

BEAN,
BRIDGES,
KINARD,

On the part of the House.

H. B. No. 703, A bill to be entitled "An Act authorizing the creation of the office of County Purchasing Agent in all counties of this State of more than one hundred and twenty thou-

sand (120,000) and less than two hundred and twenty thousand (220,000) inhabitants according to the last preceding or any future Federal Census, providing for the appointment of such County Purchasing Agent, prescribing his duties and fixing his compensation, prescribing the procedure for county purchases of equipment, materials, and supplies, together with repairs for the same, prescribing a penalty for the violation of this Act, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. In all counties in this State having a population of more than one hundred and twenty thousand (120,000) and less than two hundred and twenty thousand (220,000) inhabitants according to the last preceding or any future Federal Census, the county judge shall appoint a suitable person, with the advice and consent of the district judges of such county, who shall act as the County Purchasing Agent for such county. The County Purchasing Agent of any county affected by this Act shall hold office until January 5, 1943, and thereafter the County Purchasing Agent shall hold office for a term of two years unless removed for cause. He shall execute a bond in the sum of Ten Thousand (\$10,000) Dollars, payable to said county, for the faithful performance of his duties. He shall receive an annual salary of not less than Three Thousand (\$3,000) Dollars or more than Five Thousand (\$5,000) Dollars, payable in monthly installments.

Section 2. All equipment, materials, and supplies, together with the repairs for same, shall be purchased by the County Purchasing Agent, upon written specifications and upon requisitions approved by the county judge. So far as practicable, such purchases for any office or department shall be in amounts calculated to be adequate for one year's needs. Where the total consideration on any contract is likely to be in excess of Fifty (\$50.00) Dollars, purchases shall be made on the basis of the lowest and best bid, and a complete record of bids and purchase contracts awarded shall be kept on file for not less than ten (10) years.

Sec. 3. When delivery is made on any purchase or repair work the

County Purchasing Agent shall secure from the county officer or department head receiving the same a Receiving Memorandum in triplicate certifying that the equipment, materials, supplies, or repairs have been received in good order and according to specifications. Such Receiving Memorandum shall be attached to the respective invoice, rendered in triplicate, when such invoice is approved by the County Purchasing Agent. A copy each of the Receiving Memorandum and the approved invoice shall be forwarded to the County Auditor, and a copy each shall be kept on file in the office of the County Purchasing Agent for not less than ten (10) years.

Sec. 4. The County Purchasing Agent shall prepare and keep a perpetual inventory of all property of the county for each department and office. A copy of such inventory as of July 1 of each year shall be furnished the Commissioners' Court and the County Auditor not later than the following July 10. It shall be the duty of the County Purchasing Agent to transfer equipment, materials, and supplies from one department or office to another in the interest of efficiency and economy.

Sec. 5. It shall be unlawful for any person other than the County Purchasing Agent, to make any purchases of equipment, materials, supplies or repairs for the same, and no warrant shall be approved by the County Auditor in payment of any purchase except by such agent.

Sec. 6. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Two Hundred (\$200.00) Dollars or more than One Thousand (\$1,000.00) Dollars or imprisoned in the county jail of said county for not less than thirty (30) days or more than one (1) year or by both such fine and imprisonment.

Sec. 7. All laws and parts of laws in conflict with any of the provisions of this Act are hereby repealed, and if any provisions of this Act should be held unconstitutional and void, such holding shall not affect any other provisions not yet void, but all provisions not so held to be invalid shall continue in full force and effect.

Sec. 8. The fact that there is not now a uniform law relating to County Purchasing Agents in the counties of this State, and that recent Court de-

cisions create doubt as to the constitutionality of some laws relating to County Purchasing Agents, and that all experience confirms the practice of uniform purchasing procedure creates an emergency and imperative public necessity, that the constitutional rule that bills be read on three separate days in each House of the Legislature be suspended and said rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was adopted by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Absent—Excused.

Smith	Winfield
Spears	

Motion to Adjourn

Senator York moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—11

Beck	Moore
Cotten	Ramsey
Hill	Vick
Lemens	Weinert
Lovelady	York
Mauritz	

Nays—17

Aikin	Lanning
Brownlee	Martin
Chadick	Metcalfe
Fain	Moffett
Formby	Shivers
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	

Absent—Excused

Smith	Winfield
Spears	

Bill Signed

The President signed in the presence of the Senate, after its caption had been read, the following enrolled bill:

H. B. No. 1088, A bill to be entitled "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature approved June 8, 1927, to authorize a ninety-nine year lease to be issued to the Town of Aransas Pass leasing Ransom Island and certain waters surrounding the same, situated in Nueces County, authorizing the said town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bath-houses, channels, causeways, bridges, streets, alleys, utilities and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement and better living; authorizing the reclamation, dredging and filling of any part of the leased area; authorizing the subdivision of the leased area or any part thereof into lots and blocks by surveys and dedicated maps and plats; authorizing said towns to sublease all or any part or parts of the leased area for any or all of said purposes; validating all subleases heretofore made by said town of Aransas Pass; providing for the maintenance of said area and for keeping open to the public free of charge such portions as may be necessary to constitute a public place for the recreation and enjoyment of the public; providing for the policing of said area, enlarging the area to be leased; preserving to the State all minerals in and under the leased area with the right of access for drilling and mining purposes and reserving the right to sell any and all available shell in the leased area; and declaring an emergency."

Motion to Take Up House Bill 1011

Senator Metcalfe moved that the regular order of business be suspended to permit consideration of H. B. No. 1011 at this time.

Senator Fain moved the previous question on the motion to suspend the regular order of business, and the motion was duly seconded.

The main question was ordered by the following vote:

Yeas—17

Beck	Lovelady
Brownlee	Martin
Chadick	Metcalfe
Fain	Moffett
Formby	Ramsey
Graves	Shivers
Hazlewood	Weinert
Kelley	York
Lemens	

Nays—9

Aikin	Stone
Cotten	Sulak
Isbell	Van Zandt
Mauritz	Vick
Moore	

Absent

Hill	Lanning
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Absent—Excused

Smith	Winfield
Spears	

Report of Standing Committees

Senator Shivers, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, the Committee on Oil, Gas and Conservation, to whom was referred

S. C. R. No. 84, Entitled, Whereas, the press reports inform us that an oil well being drilled in Galveston Bay, blew out Monday from a cause apparently unknown and crumpled the derrick into a twisted mass of steel and has continued to blow sand, mud, rock and salt water more than three hundred feet into the air for two or three days thereafter, and while the oil sand had not been reached so that probably very little damage was done to marine life, fear has been expressed that it might have caused injury to the oyster beds, and certainly if it had blown out after it began making oil, a very serious condition would have existed. . . etc.

Have had the same under consideration and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Senator Aikin, by unanimous consent, submitted at this time the following report:

Apstin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 99,

House Concurrent Resolution, Resolved by the House of Representatives, the Senate concurring, That a sum not to exceed Five Hundred (\$500) Dollars be paid out of the contingent expense fund of the Forty-seventh Legislature to pay for a suitable portrait of Governor W. Lee O'Daniel, said portrait to be placed in the rotunda of the Capitol with the portraits of the other Governors of Texas. The portrait may be made by any artist agreeable to Governor W. Lee O'Daniel, and before said portrait is accepted and placed by the Board of Control, such portrait offered shall be approved by Governor O'Daniel.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Appointments Announced

The President announced the appointment of the following special committees:

To investigate State grazing leases pursuant to S. R. No. 161: Senators Winfield, Metcalfe, Mauritz, Ramsey and Formby.

To investigate management of State eleemosynary institutions pursuant to S. R. No. 176: Senators Cotten, Formby, Kelley, Moffett, and Lanning.

Recess

Senator Metcalfe moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Van Zandt moved that the Senate recess to 3:00 o'clock p. m. today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—8

Beck	Lovelady
Cotten	Ramsey
Hill	Weinert
Lemens	York

Nays—17

Aikin	Martin
Brownlee	Metcalfe
Fain	Moffett
Formby	Shivers
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	

Absent

Chadick	Moore
Mauritz	

Absent—Excused

Smith	Winfield
Spears	

Question first recurring on the motion to recess, yeas and nays were demanded.

The motion to recess prevailed by the following vote:

Yeas—15

Beck	Moore
Brownlee	Shivers
Cotten	Sulak
Hill	Van Zandt
Isbell	Vick
Lemens	Weinert
Lovelady	York
Moffett	

Nays—11

Aikin	Lanning
Fain	Martin
Formby	Metcalfe
Graves	Ramsey
Hazlewood	Stone
Kelley	

Absent

Chadick	Mauritz
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Absent—Excused

Smith	Winfield
Spears	

The Senate, accordingly, at 1:15 o'clock p. m., recessed to 3:00 o'clock p. m. today.

Afternoon Session

The Senate met at 3:00 o'clock p. m. and was called to order by the President.

House Bill 1087 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1087 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1087, A bill to be entitled "An Act to amend H. B. No. 930 of the Forty-seventh Legislature by adding thereto a new Section to follow Section 1 thereof, and to be known as Section 1a, to provide that any unexpended balance in the sums of money appropriated to the Adjutant General's Department in H. B. No. 930, for the purposes stated, on hand August 31, 1941, are appropriated to the Adjutant General's Department for the purposes stated in H. B. No. 930 for the two year period beginning September 1, 1941, and ending August 31, 1943; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1087 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1087 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	York
Lemens	

Absent

Hill	Weinert
Moore	

Absent—Excused

Smith	Winfield
Spears	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Hill	Weinert
Moore	

Absent—Excused

Smith	Winfield
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Adoption of Report of Conference Committee on Senate Concurrent Resolution 66

On motion of Senator Moffett, the report of the Conference Committee on S. C. R. No. 66, previously submitted, was adopted.

House Bill 1092 on Second Reading

On motion of Senator Graves and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 1092 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1092, A bill to be entitled "An Act authorizing the annexation of streets, highways, and alleys by the Governing bodies of certain cities and towns; prescribing the method for such annexation; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1092 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1092 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Hill	Weinert
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Absent—Excused

Smith	Winfield
Spears	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Hill	Weinert
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Absent—Excused

Smith	Winfield
Spears	

House Bill 1056 on Second Reading

On motion of Senator Isbell, and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 1056 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1056, A bill to be entitled "An Act to amend Section 2 of H. B. No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, by authorizing any city or county, having a population of not less than fifteen thousand (15,000) and not more than fifteen thousand two hundred fifty (15,250) to issue its general obligation bonds or warrants for the purpose of acquiring and improving land for airport purposes; providing that the authority given for the issuance of such bonds and the levy or collection of taxes in payment thereof shall be exercised in accordance with the provisions of Chapter 1, Title 22, Revised Civil Statutes, 1925; providing that no election shall be necessary to authorize the issuance of such warrants but the city or county shall comply with the provisions of Chapter 163, Acts of the Regular Session of the Forty-second Legislature with reference to notice of intention to issue such warrants, and the levy of taxes in payment thereof, and the right to referendum election therein specified shall apply; providing that this Act shall not repeal any existing law; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1056 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1056 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Fain
Beck	Formby
Brownlee	Graves
Chadick	Hazlewood
Cotten	Isbell

Kelley	Moore
Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Van Zandt
Metcalf	Vick
Moffett	York

Absent

Hill	Weinert
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Absent—Excused

Smith	Winfield
Spears	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Hill	Weinert
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Absent—Excused

Smith	Winfield
Spears	

House Concurrent Resolution 247

The President laid before the Senate and had read (the resolution having been received from the House on June 24, 1941):

H. C. R. No. 247, Granting H. S. Middlemiss permission to bring suit against the State of Texas.

On motion of Senator Brownlee and by unanimous consent, the resolution was considered at this time.

On motion of Senator Brownlee, the resolution was tabled subject to call.

House Bill 1032 on Second Reading

On motion of Senator Ramsey and by unanimous consent, the regular order of business was suspended to

permit consideration of H. B. No. 1032 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1032, A bill to be entitled "An Act providing that candidates for nomination for State Representative in a primary election in certain counties shall be required to pay a fee not to exceed Thirty (\$30.00) Dollars to the county executive committee; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1032 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1032 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Hill	Weinert
Moore	

Absent—Excused

Smith	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 1098, to Committee on Towns and City Corporations.

H. B. No. 1105, to Committee on Highways and Motor Traffic.

H. B. No. 1067, to Committee on Game and Fish.

H. B. No. 1101, to Committee on Game and Fish.

H. B. No. 1100, to Committee on Game and Fish.

H. B. No. 1102, to Committee on Stock and Stock Raising.

H. B. No. 1095, to Committee on Finance.

House Bill 1011 on Second Reading

The Senate resumed consideration of the motion of Senator Metcalfe to suspend the regular order of business to take up H. B. No. 1011 on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Fain	Moffett
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick

Nays—2

Cotten	York
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Absent

Hill	Weinert
Moore	

Absent—Excused

Smith	Winfield
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1011, A bill to be entitled "An Act appropriating the sum of Three Hundred Thousand (\$300,000.00) Dollars out of any funds in the State Treasury, not otherwise appropriated, annually, for the purpose of providing permanent funds or revenue for the 'Firemen's Relief and Retirement Fund' created by H. B. No. 258, Chapter 125, page 229, of the General Laws of the Regular Session of the Forty-fifth Legislature, ap-

proved April 9, 1987; providing for the disbursement thereof; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1011 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1011 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	York
Martin	

Nays—1

Cotten

Absent

Beck	Weinert
Hill	

Absent—Excused

Smith	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	York
Martin	

Nays—1

Cotten

Absent

Beck Weinert
Hill

Absent—Excused

Smith Winfield

**Report of Standing Committee on
House Bill 1098**

Senator Hill, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 1098, A bill to be entitled "An Act to amend Section 1 of S. B. No. 496, Chapter 168, Acts of the Regular Session of the Forty-fourth Legislature, as amended by Section 1 of H. B. No. 153, Chapter 71, Acts of the Second Called Session of the Forty-fifth Legislature, so as to authorize any city of more than ten thousand (10,000) population, according to the last preceding Federal Census, whether incorporated under general or special law, to codify and adopt a code of civil and criminal ordinances without the necessity of publication; providing for the taking effect of said code upon adoption; providing said code shall have the force and effect of an ordinance regularly enacted; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

HILL, Chairman.

House Bill 1098 on Second Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1098 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin Cotten
Brownlee Fain
Chadick Formby

Graves Metcalfe
Hazlewood Moffett
Hill Moore
Isbell Ramsey
Kelley Spears
Lanning Stone
Lemens Sulak
Lovelady Van Zandt
Martin Vick
Mauritz York

Absent

Beck Weinert
Shivers

Absent—Excused

Smith Winfield

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill 1098 on Third Reading

The President then laid H. B. No. 1098 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Brownlee Martin
Chadick Mauritz
Cotten Metcalfe
Fain Moffett
Formby Moore
Graves Ramsey
Hazlewood Spears
Hill Stone
Isbell Sulak
Kelley Van Zandt
Lanning Vick
Lemens York
Lovelady

Nays—1

Aikin

Absent

Beck Weinert
Shivers

Absent—Excused

Smith Winfield

House Concurrent Resolution 274

The President laid before the Senate and had read (the resolution having been received from the House on June 26, 1941):

H. C. R. No. 274, Appropriating Fifteen Hundred (\$1,500.00) Dollars

from Contingent Expense Funds for use of Advisory Legislative Committee authorized by Rural Aid Bill.

On motion of Senator Van Zandt and by unanimous consent, the resolution was considered at this time.

Senator Van Zandt offered the following amendment to the resolution:

Amend H. C. R. No. 274, by striking out all below the resolving clause and inserting in lieu thereof the following:

"That the sum of Fifteen Hundred (\$1,500.00) Dollars or so much as may be necessary is hereby appropriated out of the Contingent Expense Account of the Forty-seventh Legislature for the actual and necessary expenses of the members of the Joint Legislative Advisory Committee created and acting under and by virtue of H. B. No. 933 passed by the Forty-sixth Legislature and the actual and necessary expenses of the members of the Joint Legislative Advisory Committee continued and re-created under H. B. No. 284, passed by the Forty-seventh Legislature which committees supervise the so-called Rural Aid Law.

"Such money so appropriated and used as herein authorized shall be upon the approval of the Chairman of said committees and the Chairman of the Contingent Committees of the Senate and House of the Forty-seventh Legislature."

The amendment was adopted.

The resolution as amended was adopted.

Motion to Adjourn

Senator Martin moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—7

Cotten	Moore
Formby	Ramsey
Kelley	Stone
Martin	

Nays—17

Aikin	Lemens
Brownlee	Lovelady
Chadick	Mauritz
Fain	Metcalf
Graves	Moffett
Hazlewood	Sulak
Hill	Van Zandt
Isbell	Vick
Lanning	

Absent

Beck	Weinert
Shivers	York
Spears	

Absent—Excused

Smith	Winfield
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House Bill 1094 on Second Reading

On motion of Senator Fain and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 1094 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1094, A bill to be entitled "An Act amending Section 6 of Chapter 426, Acts of the Regular Session of the Forty-fifth Legislature, as amended by Section 3 of H. B. No. 828, Acts of the Regular Session of the Forty-seventh Legislature, providing for the appointment, term of office, qualification and organization of board of directors of the San Jacinto River Conservation and Reclamation District; fixing the domicile of said district; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1094 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1094 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Weinert

Absent—Excused

Smith	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Weinert

Absent—Excused

Smith Winfield

Reports of Standing Committees

Senator Formby, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 1102, A bill to be entitled "An Act relating to marks and brands of livestock in Fayette County; requiring that each owner of any livestock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect have his mark and brand of such stock recorded at the office of the county clerk; and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

FORMBY, Chairman.

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Senate Chamber,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 1105, A bill to be entitled "An Act to correct a typographical

error in H. B. No. 351, passed at the Regular Session of the Forty-seventh Legislature, by striking out the word 'predecessor' in Section 4 and substituting in lieu thereof the word 'successor'; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to you with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Senator Kelley, by unanimous consent, submitted at this time the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1067, A bill to be entitled "An Act amending Section 1 of H. B. No. 186, Regular Session of the Forty-seventh Legislature, fixing an open season for mourning doves and whitewinged doves; etc.; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KELLEY, Acting Chairman.

Motion to Adjourn

Senator Lanning moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—10

Cotten	Martin
Graves	Mauritz
Kelley	Spears
Lanning	Stone
Lovelady	York

Nays—15

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Fain	Shivers
Formby	Sulak
Hazlewood	Van Zandt
Isbell	Vick
Lemens	

Absent

Beck	Ramsey
Hill	Weinert

Absent—Excused

Smith Winfield

Conference Committee on House Bill 86

Senator Van Zandt called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 86.

Senator Van Zandt moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Van Zandt, Shivers, Stone, Lemens and Vick.

House Bill 1067 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 1067 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1067, A bill to be entitled "An Act amending Section 1 of H. B. No. 186, Regular Session of the Forty-seventh Legislature, fixing an open season for mourning doves and white-winged doves; specifically exempting certain counties from the provisions of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1067 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1067 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Weinert

Absent—Excused

Smith

Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	York

Absent

Weinert

Absent—Excused

Smith

Winfield

Motion to Adopt Conference Committee Report on House Bill 796

Senator Moffett moved that the report of the Conference Committee on H. B. No. 796, heretofore submitted and printed in the Journal, be now adopted.

Question—Shall the motion to adopt the report prevail?

Adjournment

Senator Kelley moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—15

Brownlee	Lemens
Cotten	Martin
Fain	Mauritz
Graves	Ramsey
Hazlewood	Stone
Hill	Vick
Kelley	York
Lanning	

Nays—11

Aikin	Moffett
Chadick	Moore
Formby	Shivers
Isbell	Sulak
Lovelady	Van Zandt
Metcalfe	

Absent

Beck	Weinert
Spears	

Absent—Excused

Smith	Winfield
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The Senate, accordingly, at 5:05 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

EIGHTY-SIXTH DAY

(Thursday, July 3, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Spears
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Hill	Smith
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A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Fain and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Cotten.

Senator Smith was granted leave of absence for today on account of important business, on motion of Senator Moffett.

Report of Standing Committee

Senator Kelley submitted the following report:

Austin, Texas,
July 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 1104, A bill to be entitled "An Act to empower any city or town in this State now or hereafter incorporated under the General Laws of this State, and not having a special charter, and not having a charter adopted or amended under the home rule provisions of the Constitution and Statutes of this State, etc.; and declaring an emergency."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HILL, Chairman.

Message from the House

A Clerk from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
July 3, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed notwithstanding the veto of the Governor by a vote of 104 ayes, 12 noes:

H. B. No. 971, A bill to be entitled "An Act authorizing cities and towns eligible under the terms of this Act, to fund certain indebtedness outstanding on the effective date of this Act; prescribing the method and procedure for issuance of funding or re-funding bonds, and which cities or